



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: L10389

Richard J. MCCURDY

Appln. No.: 09/662,181

Group Art Unit: 1762

Confirmation No.: 2443

Examiner: Bret P. Chen

Filed: September 14, 2000

For: METHOD FOR DEPOSITING TITANIUM OXIDE COATINGS ON FLAT GLASS

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the telephone interview conducted on December 10, 2004:

REMARKS

An Examiner's Interview Summary Record (PTO-413) has not been received.

During the interview, the following was discussed: The Examiner indicated that he does not believe that "the conditions have been met to set up an interference" and if Applicant disagreed, the Examiner indicated that "[Pilkington] should provide arguments and he will consider them." The Examiner was asked to explain the basis for his conclusion that the conditions have not been met for setting up an interference. Specifically, Claims 42 and 44 of the application were discussed.

1. Brief description of exhibits or demonstration: N/A
2. Identification of claims discussed: 42 and 44 of the instant Application as well as Claims 15 and 22 of U.S. Patent No. 6,027,766.
3. Identification of art discussed: N/A
4. Identification of principal proposed amendments: N/A

McCurdy
Appln. No. 09/662,181
Page 2

5. Brief Identification of principal arguments: Claims 42 and 44 were copied from U.S. Patent No. 6,027,766 and have been indicated as being allowable in the Office Action Summary mailed October 18, 2004. Thus, the instant Application contains two allowed claims that interfere with at least two claims of an issued U.S. Patent (U.S. Patent No. 6,027,766). As such an interference should be declared. (MPEP § 2307.02)

6. Indication of other pertinent matters discussed: N/A
7. Results of Interview: No agreement was reached.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


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23373
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Date: February 17, 2005